



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/589,947	08/18/2006	Yasuyuki Uchiyama	040894-7490	2114
9629 7590 01/28/2010 MORGAN LEWIS & BOCKIUS LLP 1111 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004				
EXAMINER ZHANG, FAN				
ART UNIT		PAPER NUMBER		
2625				
MAIL DATE		DELIVERY MODE		
01/28/2010		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/589,947

**Applicant(s)**

UCHIYAMA ET AL.

**Examiner**

FAN ZHANG

**Art Unit**

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/GS-08)  
Paper No(s)/Mail Date 08/18/2006, 05/22/2008

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 7 is objected to because of the following informalities. Appropriate correction is required.

In claim 7, "a operation unit" should be "an operation unit".

### ***Claim Rejections - 35 USC § 102 (a)***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 (a) that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. **Claims 1, 2, 4, 6, 10, and 11 are rejected under 35 U.S.C. 102(a) as being anticipated by Matsumoto (JP Patent: 2004025680).**

**Regarding claim 1**, Matsumoto teaches: A label printer comprising: an editing unit that expands data edited by a computer and stored in a data storage medium into substantially the same format as that displayed on a display of the computer; and a printing unit that prints the data on a label according to a format expanded by the computer or format expanded by the editing unit [abstract, p0005].

**Regarding claim 2**, Matsumoto further teaches: The label printer according to claim 1, wherein the format substantially the same as that displayed on the display of the computer comprises bit map data [p0011, p0020].

**Regarding claim 4**, Matsumoto further teaches: The label printer according to claim 1, wherein the data stored in the data storage medium comprises image data; and the image data are expanded into bit map data by the editing unit [p0011, p0020, p0021].

**Regarding claim 6**, Matsumoto further teaches: The label printer according to claim 1, when the computer is connected to the label printer, the printing unit executes printing according to the format expanded in the computer, and when the computer is not connected to the label printer, the printing unit executes printing according to the format expanded by the editing unit [p0005, claim 1].

**Regarding claim 10**, Matsumoto further teaches: The label printer according to claim 1, wherein the label is pasted on a roll paper and housed in the label printer [fig. 1, p0006].

**Claim 11** has been analyze and rejected with regard to claims 1 and 6.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**5. Claims 3, 5, 7-9, 12, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsumoto (JP Patent: 2004025680) and in further view of Bever et al (US Pub: 2005/0078995).**

**Regarding claim 3,** Matsumoto does not specifically disclose bit map font. In the same field of endeavor, Bever et al teach: The label printer according to claim 2, wherein the format substantially the same as that displayed on the display of the computer further comprises a bit map font [p0036, p0051, p0064]. A label printer that is capable of updating bitmap font has been well known in the art as prescribed by Bever et al. Therefore, it would have been obvious for an ordinary skilled in the art to combine the teaching of Matsumoto and Bever et al to have a label printer handle font format data for providing user more format printing options.

**Regarding claim 5,** Matsumoto does not specifically disclose bit map font. In the same field of endeavor, Bever et al teach: The label printer according to claim 4, wherein the data stored in the data storage medium further comprises text data; and the text data are expanded into a bit map font by the editing unit [p0036, p0051, p0064]. A label printer that is capable of updating bitmap font has been well known in the art as prescribed by Bever et al. Therefore, it would have been obvious for an ordinary skilled in the art to combine the teaching of Matsumoto and Bever et al to have a label printer

handle font format data for providing user more format printing options.

**Regarding claim 7**, Matsumoto teaches rewriting data in terms of selecting different formats [p0030-p0032]. In the same field of endeavor, Bever et al further teach rewriting data in terms of editing data: The label printer according to claim 1, further comprising a operation unit that rewriting the data stored in the data storage medium [fig. 9]. Therefore, it would have been obvious for an ordinary skilled in the art to combine the teaching of two to allow data stored in a label printer to be edited/rewritten before printing for data modification purpose.

**Regarding claim 8**, the rationale applied to the rejection of claim 7 has been incorporated herein. Matsumoto and Bever et al further teaches: The label printer according to claim 7, wherein an object including at least one of a text, bar code and date is edited by an operation of the operation unit [Matsumoto: p0015, p0030-p0032; Bever et al: figs. 9 and 10, p0133].

**Regarding claim 9**, Matsumoto does not specify adding a time stamp. In the same field of endeavor, Bever et al teach: The label printer according to claim 1, further comprising a clock function, wherein the printing unit executes printing on the label with an addition of the data when printing is executed [p0133]. Inserting a time stamp to a label has been well practiced in the art as prescribed by Bever et al. Therefore, it would have been obvious for an ordinary skilled in the art to combine the teaching of the two to

include a time stamp to a label for the purpose of tracking the printing/labeling time.

**Claim 12** has been analyze and rejected with regard to claim 7.

**Claim 13** has been analyze and rejected with regard to claim 9.

### ***Contact***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fan Zhang whose telephone number is (571) 270-3751. The examiner can normally be reached on Mon-Fri from 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark K. Zimmerman can be reached on (571) 272-7653. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Fan Zhang/

Patent Examiner

/Mark K Zimmerman/  
Supervisory Patent Examiner, Art Unit 2625